

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
T COURT DA	MAY - 2 2018
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ORACLE USA, INC., et al.

**Plaintiffs,**

1

## RIMINI STREET, INC., et al.

## Defendants.

Case #: 2:10-cv-0106-LRH-VCF

## **CERTIFICATE OF CASH DEPOSIT**

13 2. This Cash Deposit:

Oracle USA, Inc., Oracle America, Inc. and Oracle International

A. Is tendered on behalf of: Corporation (collectively, "Oracle")

(Name of Party)

15 B. Is in the nature of the following (e.g., Interpleader Deposit, Bond in Support  
16 of Temporary Restraining Order, etc.) : attorneys' fee award to Oracle in this action, which was  
17 vacated by the Ninth Circuit.

20 C. Is tendered pursuant to the following Court Order (Order must be attached  
21 as required by Fed. R. Civ. P. 67(a) and LR 67-1(a)(4) and (b).) : ECF No. 1128 and ECF No. 1129

24 D. Is conditioned as follows: pursuant to those orders.

27 . . .

28,502,246.40 5-2-18  
Paid Amt \$ \_\_\_\_\_ Date \_\_\_\_\_  
NVLAS 056826 Initials SW  
Receipt # \_\_\_\_\_

1

1

3. The name and address of the Legal Owner of the cash tendered

4 herewith to whom a refund (if applicable) shall be made is:

5 Oracle International Corporation

6 500 Oracle Parkway, M/S 5op7

7 Redwood City, CA 94070

9 State of Nevada )  
10 County of Clark ) ss.

Dated: May 2, 2018

11 On May 2, 2018  
12 personally appeared before me, a  
Notary Public,

Signature of Depositor

13 Richard J. Pocker  
14 (Name of Depositor)  
15 who acknowledged that (s)he  
executed the above instrument.

Carol E. Wright  
NOTARY PUBLIC



Carolyn E. Wright  
Notary Public  
State of Nevada  
Expires 7-28-2019  
No. 98-57328-1

Dated: May 2, 2018

Signature of Attorney for  
Party or Party Appearing  
Pro Se (If different from  
Depositor)

22 | RECEIPT:

23 Cash as identified herein is  
hereby acknowledged as being  
24 received this date.

25 Dated: Sept. 2, 1968

26 | CLERK, U.S. DISTRICT COURT

27 By: ~~SHELLY DENSON~~

**Deputy Clerk**

**ECF NO. 1128**

**Order Regarding Rule 67 Deposit and  
Briefing Schedule for Oracle's  
Renewed Motion for Attorneys' Fees**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation,

**Plaintiffs,**

Y.

RIMINI STREET, INC., a Nevada corporation;  
AND SETH RAVIN, an individual,

### Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**STIPULATION AND  
ORDER REGARDING RULE 67  
DEPOSIT AND BRIEFING  
SCHEDULE FOR ORACLE'S  
RENEWED MOTION FOR  
ATTORNEYS' FEES**

WHEREAS on September 21, 2016, the Court entered an award of \$26,502,246.76 in attorneys' fees in favor of Oracle (Dkt. 1049);

WHEREAS on October 18, 2016, the Court entered a final judgment that included the attorneys' fees award (Dkt. 1076);

WHEREAS on October 31, 2016, Rimini paid Oracle the judgment in full, including the complete attorneys' fees award plus postjudgment interest (Dkt. 1096, 1097);

WHEREAS on January 8, 2018, the U.S. Court of Appeals for the Ninth Circuit affirmed liability and prejudgment interest for Oracle's copyright infringement claims (*Oracle USA, Inc. v. Rimini Street, Inc.*, 879 F.3d 948 (9th Cir. 2018));

WHEREAS the Ninth Circuit reversed liability and prejudgment interest for the state computer hacking statutes—a sum total of \$19,764,595.85 (Dkt. 1076 ¶¶ 3-4)—and reversed \$1,515,285.45 in taxable costs (*Rimini*, 879 F.3d at 962-65) (hereinafter, the “Reversed Sums”);

WHEREAS the Ninth Circuit “vacate[d] the [attorneys’] fee award and remand[ed] for reconsideration” (*Rimini*, 879 F.3d at 965);

WHEREAS on March 13, 2018, Oracle filed a Motion to Deposit Attorneys' Fee Award with the Court, requesting permission pursuant to Rule 67 of the Federal Rules of Civil Procedure to deposit with the Court the \$28,502,246.40 attorneys' fees award vacated by the Ninth Circuit, which

## STIPULATION AND ORDER

1 award Rimini previously paid to Oracle, pending resolution of Oracle's renewed motion for  
2 attorneys' fees (Dkt. 1114);

3 WHEREAS the parties now agree that Oracle can deposit \$28,502,246.40 with the Court  
4 pursuant to Rule 67, on the conditions that Oracle (1) withdraws its pending motion, (2) promptly  
5 pays back to Rimini the Reversed Sums with postjudgment interest, and (3) agrees to provide Rimini  
6 with 60 days to oppose Oracle's renewed motion for attorneys' fees (Dkt. 1118); and

7 WHEREAS Rule 67 requires from the Court an "order permitting deposit" (Fed. R. Civ.  
8 P. 67(b));

9 THEREFORE IT IS HEREBY STIPULATED by and between the Parties that:

10 1. Oracle shall withdraw its pending Motion to Deposit Attorneys' Fee Award with the  
11 Court.

12 2. Oracle shall promptly pay back to Rimini all Reversed Sums with postjudgment interest.

13 3. The Parties request that the Court enter the attached Rule 67 Proposed Order, which  
14 authorizes Oracle to deposit \$28,502,246.40 with the Court in its Registry Account, to be disbursed  
15 with appropriate interest according to this Court's resolution of Oracle's renewed motion for  
16 attorneys' fees. This disbursement is to occur without respect to either party's subsequent appeal  
17 from this Court's decision.

18 4. Rimini shall have 60 days from the date of Oracle's renewed motion for attorneys' fees  
19 to file its opposition brief to Oracle's renewed motion for attorneys' fees.

20  
21 **SO STIPULATED AND AGREED.**

22 DATED: March 29, 2018

GIBSON, DUNN & CRUTCHER LLP

23 By: /s/ Mark A. Perry  
24 Mark A. Perry

25 Attorneys for Defendants Rimini Street, Inc. and Seth  
26 Ravin

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1 DATED: March 29, 2018

BOIES SCHILLER FLEXNER LLP

2 By: /s/ William Isaacson  
William Isaacson

3 Attorneys for Plaintiffs Oracle USA, Inc., Oracle  
4 America, Inc. And Oracle International Corporation

5 **ATTESTATION OF FILER**

6 The signatories to this document are William Isaacson and me, and I have obtained  
7 Mr. Isaacson's concurrence to file this document on his behalf.

9 DATED: March 29, 2018

GIBSON, DUNN & CRUTCHER LLP

10 By: /s/ Mark A. Perry  
Mark A. Perry

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

14 Dated: April 3, 2018

  
15 Hon. Larry R. Hicks  
United States District Judge

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STIPULATION

**ECF NO. 1129**

**Order Regarding Rule 67 Deposit**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado corporation;  
ORACLE AMERICA, INC., a Delaware  
corporation; and ORACLE INTERNATIONAL  
CORPORATION, a California corporation,

**Plaintiffs,**

V.

RIMINI STREET, INC., a Nevada corporation,  
and SETH RAVIN, an individual,

### Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**STIPULATED ORDER  
REGARDING RULE 67 DEPOSIT**

Judge: Hon. Larry R. Hicks

Pursuant to the parties' joint stipulation dated March 29, 2018, see Dkt. 1123, IT IS HEREBY

**ORDERED THAT:**

Under Federal Rule of Civil Procedure 67, Oracle is hereby authorized to deposit \$28,502,246.40 with the Court in its Registry Account, to be disbursed with appropriate interest according to this Court's resolution of Oracle's renewed motion for attorneys' fees. This disbursement is to occur without respect to either party's subsequent appeal from this Court's decision.

Rimini's opposition to Oracle's renewed motion for attorneys' fees is due on May 25, 2018.

**IT IS SO ORDERED.**

DATED: 4/3/18

By:

Hon. Larry R. Hicks  
United States District Judge